

Notice of Allowability

Application No.

09/607,502

Applicant(s)

HANSEN, VALERIE

Examiner

Narayanswamy Subramanian

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/30/2005.
2. ☒ The allowed claim(s) is/are 1-13, 15-27 and 29-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This communication is in response to Applicant's communication filed on September 30, 2005. Amendments to claims 1, 2, 11, 15-18, 25, 27, 29-32 and 35 and cancellation of claims 14 and 28 have been entered. Claims 1-13, 15-27 and 29-36 are pending in this application.

Allowable Subject Matter

2. The following is a statement of reasons for the indication of allowable subject matter:

3. The prior art of record (Giovannoli US Patent 5,842,178 in combination with Pool et al US Patent 6,460,020 B1) teaches a method and a article of manufacture for calculating a comparison value, the method comprising: receiving at least one request for quote from said buyer agent, wherein said request for quote includes a product specification data set comprising a plurality of quantity values for a number of items having different size parameters; transmitting the product specification data set to at least one seller agent; receiving a price data set from said at least one seller agent, wherein the price data set contains at least one quoted value, and wherein information in said price data set is responsive to the product specification data set; generating at least one comparison value; and communicating at least one comparison value to at least one output.

Even though, the prior art of record teaches a for performing the above mentioned steps, the prior art of record fails to teach a method and a article of manufacture comprising a computer-readable medium having computer-executable instructions for providing services for calculating a comparison value, in an arrangement comprising a plurality of agents connected to a network, said plurality of agents including at least one server, at least one buyer agent, and at least one seller agent, including the steps of generating at least one comparison value by:

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retrieving a price total from said price data set; for items having similar size parameters; calculating a size total value based on a summation of said size parameters; receiving metric data from at least one source, wherein the metric data represents price data that is indicative of one or more market prices and comprises a comparable price per unit for the items; and multiplying said comparable price per unit of said size total value, thereby creating a market price total for the items; calculating a summed market price total by summing one or more of the market price totals for the items; comparing said summed market price total to said price total, thereby generating at least one comparison value. For these reasons claims 1, 18 and 32 are deemed to be allowable over the prior art of record, and claims 2-13, 15-17, 19-27, 29-31 and 33-36 are allowed by dependency.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee, and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled Comments on Statement of Reasons for allowance.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Plotkin, David "Business Rules Everywhere", Intelligent Enterprise (July 13, 1999)

(b) O'Brien, Tim "A Day at the Park Costs More Than Ever", Amusement Business, Volume 108 (June 17, 1996) page 3


(c) McAndrew (US Patent 5,991,696) (November 23, 1999) Method for Intelligent Data Acquisition in a Measurement System

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(d) Uno, Yoichi (JP 62139088 A) (June 22, 1987) Input Data Checking System

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (571) 272-6751. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (571) 272-6747. The fax number for Formal or Official faxes and Draft to the Patent Office is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dr. N. Subramanian 
November 23, 2005



VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600